

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>NICOLE MCDANIELS,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION NO. 15-2803</b>
	:	
<b>CITY OF PHILADELPHIA,</b>	:	
<b>Defendant.</b>	:	

**ORDER**

**AND NOW**, this 13th day of February 2017, upon consideration of Defendant's Motion for Summary Judgment (Doc. No. 16) and Plaintiffs' response thereto, it is hereby **ORDERED** that the motion is **DENIED** for the reasons set forth in the accompanying Memorandum Opinion.

It is further **ORDERED** that no later than **February 24, 2017**, counsel shall provide the Court with their availability for trial in May and June 2017. In the alternative, the parties may wish to consider whether to consent to proceed to trial before a United States Magistrate Judge, in which case counsel should complete and submit the attached form to the Clerk of Court.

**IT IS SO ORDERED.**

**BY THE COURT:**

**/s/ Cynthia M. Rufe**

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**CYNTHIA M. RUFE, J.**